

REMARKS

Claims 1, 6, 11 and 18 have been amended. Claim 2 has been canceled. Claims 21-23 are new.

Claim 1 has been amended to include limitations previously claimed in claim 2, namely, “specifying information to be presented to the user in a status summary associated with said profile in addition to said user-defined functions”.

Claim 6 has been amended to recite the limitation of “retrieving user-defined data elements associated with said profile; and presenting said user-defined functions and said user-defined data elements via said customized speech based user interface in accordance with said customized profile”.

Claim 11 has been amended to recite the limitations of “a profile database comprising a plurality of profiles of user-defined functions of a speech-based user interface and user-defined data elements associated with said profiles for use with said application system; customization means permitting customization of said user-defined functions and permitting the customization of said user-defined data elements; and a speech user interface subsystem for presentation of one of said plurality of profiles and said user-defined data elements”.

Support for the amendments to claims 1, 6 and 11 can be found in the specification, for example in the detailed description, at paragraphs [0028] through [0030].

Claim 18 has been amended to correct a grammatical error. The language “provides” has been replaced with the participle verb “providing”. This amendment merely serves to place the verb “providing” in agreement with the verb “creating” and does not affect the scope of the claim.

Claims 21-23 are new. Support for new claims 21-23 can be found in the specification, for example in the detailed description, at paragraphs [0029] and [0030].

Rejections of Claims 1-2, 4-7, 9-12, 15, 16 and 20 under 35 U.S.C. § 102(b)

The Examiner has rejected claim 1 under 35 U.S.C. § 102(b) in view of U.S. Patent 5,924,070 to Ittycheriah et al. The applicants respectfully submit that the Examiner’s rejection

should be withdrawn, since Ittycheriah does not teach all of the limitations of amended claim 1. Without limiting the generality of the foregoing, Ittycheriah does not teach both the step of “specifying information to be presented to the user in a status summary associated with said profile in addition to said user-defined functions” in addition to the step of “customizing the user-defined functions that are presented to the user for use within said profile”. Quoting from the Examiner’s comments with respect to claim 1’s limitation of “customizing the user-defined functions that are presented to the user for use within said profile”, the Examiner alleges that this limitation is described by Ittycheriah:

“at column 6, lines 24-51, as update a previously enrolled command presented to the user by display of the user’s page of the database”.

Quoting from the Examiner’s comments with respect the limitation of “specifying information to be presented to the user in a status summary associated with said profile in addition to said user-defined functions” in amended claim 1 (formerly claimed in claim 2), the Examiner alleges that Ittycheriah describes:

“customizing comprises specifying information presented in a status summary [at column 6, lines 16-52, in the enrollment procedure, the user says the name to be recognized of the previously enrolled command in the display of the user’s page of previously enrolled commands].”

The Examiner appears to equate the “profile” of claim 1 with the “user page” of Ittycheriah, and the “user-defined functions” of claim 1 with the “enrolled commands” of Ittycheriah. Although such equivalency is not admitted by the applicants, if arguendo, that is the case, Ittycheriah cannot also disclose the step of “specifying information to be presented to the user in a status summary associated with said profile” since all that is presented to the user in Ittycheriah are the enrolled commands. Ittycheriah does not present anything “*in addition to* said user-defined functions” as in amended claim 1.

Furthermore, the “name to be recognized” of Ittycheriah is simply a field in the page or directory (col. 5, line 65 – col. 6, line 5) and cannot be considered “information... presented... *in addition to* said user-defined functions”. Accordingly, Ittycheriah does not teach all of the limitations of amended claim 1 and the applicants respectfully request that the Examiner withdraw the rejection of claim 1 under 35 U.S.C. § 102(b).

The Examiner has rejected claim 6 under 35 U.S.C. § 102(b) in view of U.S. Patent 5,924,070 to Ittycheriah et al. The applicants respectfully submit that the Examiner’s rejection should be withdrawn, since Ittycheriah does not teach all of the limitations of amended claim

6. Without limiting the generality of the foregoing, Ittycheriah does not teach both “retrieving user-defined data elements associated with said profile; and presenting said user-defined functions and said user-defined data elements via said customized speech based user interface in accordance with said customized profile”. Quoting from the Examiner’s comments with respect to the limitations of claim 6, the Examiner alleges that Ittycheriah describes:

“presenting said functions via said customized speech based user interface in accordance with said profile [at column 6, lines 14-46, as access the user’s page upon an enroll command recognized by voice command to present the user’s page of previously enrolled commands to the user and prompt by voice synthesizer to enter data by voice or invoke editing or review of the enrolled commands]”.

In addition, the Examiner alleges that Ittycheriah describes the limitation of:

“providing access to data elements presented in said functions [at column 6, lines 50-54, as process a line for editing and prompt to enter data for a field]”.

The Examiner equates the “profile” of claim 6 with the “user’s page” of Ittycheriah, and the “user-defined” functions of claim 6 with the “enrolled commands” of Ittycheriah. Although such equivalency is not admitted by the applicants, if arguendo, that is the case, Ittycheriah cannot also disclose the step of “presenting said user-defined functions and said user-defined data elements” since all that is presented to the user in Ittycheriah are the enrolled commands.

Furthermore, assuming the “line for editing” cited by the examiner is equivalent to a line (155) in the page or directory corresponding to an enrolled command (col. 5, line 65 – col. 6, line 5), this “line for editing” cannot be considered equivalent to “user-defined data elements”. Accordingly, Ittycheriah does not teach all of the limitations of amended claim 6 and the applicants respectfully request that the Examiner withdraw the rejection of claim 6 under 35 U.S.C. § 102(b).

The Examiner has rejected claim 11 under 35 U.S.C. § 102(b) in view of U.S. Patent 5,924,070 to Ittycheriah et al. The applicants respectfully submit that the Examiner’s rejection should be withdrawn, since Ittycheriah does not teach all of the limitations of amended claim 11. Without limiting the generality of the foregoing, Ittycheriah does not teach the limitations of “a profile database comprising a plurality of profiles of user-defined functions of a speech-based user interface and user-defined data elements associated with said profiles” and “a speech user interface subsystem for presentation of one of said plurality of profiles and said

user-defined data elements". Quoting from the Examiner's comments with respect to claim 11, the Examiner alleges that Ittycheriah describes:

"a profile database comprising a plurality of profiles of user-defined functions of a speech based user interface for use with said application system [at column 5, lines 50-65, as the database containing a "page" or directory of customized commands".

The Examiner equates the "profiles" of claim 11 with the "user pages" of Ittycheriah, and the "user-defined functions" of claim 11 with the "customized commands" of Ittycheriah. Although such equivalency is not admitted by the applicants, if arguendo, that is the case, Ittycheriah cannot also disclose "a speech user interface subsystem for presentation of one of said plurality of profiles *and* user-defined data elements" since all that is presented to the user in Ittycheriah is the user page of customized commands. Accordingly, the Examiner cannot show how Ittycheriah teaches all the limitations of amended claim 11, and the applicants respectfully request that the Examiner withdraw the rejection of claim 11 under 35 U.S.C. § 102(b).

In view of the above remarks, and since the Examiner's rejections of claims 2, 4, 5, 7, 9, 10, 12, 15, 16 and 20 under 35 U.S.C. § 102(b) are founded upon the Examiner's rejections of claims 1, 6 and 11, the applicants respectfully request that the Examiner withdraw the rejection of claims 2, 4, 5, 7, 9, 10, 12, 15, 16 and 20 under 35 U.S.C. § 102(b).

Rejections of Claims 3, 8 and 17 under 35 U.S.C. § 103(a)

A necessary ground of support for a rejection under 35 U.S.C. § 103(a) is that the cited references disclose, at least in combination, all of the limitations of the impugned claims. In view of the above arguments, the applicants respectfully submit that the combination of Ittycheriah and U.S. Patent 6,487,277 to Beyda et al. fails to disclose or reasonably suggest all of the limitations of claims 3, 8 and 17, since Beyda fails to disclose the same limitations that Ittycheriah fails to disclose, as set out above.

Furthermore, and without limiting the generality of the foregoing or admitting that the combination of Beyda and Ittycheriah teaches all of the limitations of claims 3, 8 and 17, which is not admitted but is expressly denied, there would be no motivation to an ordinary worker skilled in the art to combine them since there is no teaching or suggestion in either reference that the invention of Ittycheriah could be improved by: customizing a command menu structure (claim 3); a command menu structure in a DTMF driven user interface (claim 8); or selecting

the order selected functions are presented (claim 17). Accordingly, to the extent that the rejection of claims 3, 8 and 17 under 35 U.S.C. § 103(a) is based upon the combination of Ittycheriah and Beyda, the applicants request that the Examiner withdraw those rejections.

Rejections of Claims 8, 13, 14, 18 and 19 under 35 U.S.C. § 103(a)

A necessary ground of support for a rejection under 35 U.S.C. § 103(a) is that the cited references disclose, at least in combination, all of the limitations of the impugned claims. In view of the above arguments, the applicants respectfully submit that the combination of Ittycheriah and U.S. Patent 5,924,070 to Braman et al. fails to disclose or reasonably suggest all of the limitations of claims 8, 13, 14, 18 and 19, since Braman fails to disclose the same limitations that Ittycheriah fails to disclose, as set out above. Accordingly, to the extent that the rejection of claims 8, 13, 14, 18 and 19 under 35 U.S.C. § 103(a) is based upon the combination of Ittycheriah and Braman, the applicants request that the Examiner withdraw those rejections.

Furthermore, and without limiting the generality of the foregoing or admitting that the combination of Braman and Ittycheriah teaches all of the limitations of claims 8, 13, 18 and 19, which is not admitted but is expressly denied, there would be no motivation to an ordinary worker skilled in the art to combine them since there is no teaching or suggestion in either reference that the invention of Ittycheriah could be improved by: a command menu structure in a DTMF driven user interface (claim 8); a communication system according to claim 11 wherein said application system is a unified messaging system (claim 13); providing information or entertainment services from elements external to said application system (claim 18); or the system as claimed in claim 11 wherein said application system comprises an automobile control system, and said user defined functions comprise automobile system functions (claim 19). Accordingly, to the extent that the rejection of claims 8, 13, 18 and 19 under 35 U.S.C. § 103(a) is based upon the combination of Ittycheriah and Braman, the applicants request that the Examiner withdraw those rejections.

In view of the above arguments and amendments, the Applicants respectfully submit that all of the claims in the present application are now in condition for allowance, and notice of allowance is hereby requested.

Appln. no. 09/739,392
Response dated April 26, 2007
Office Action dated January 29, 2007

No fee is believed due for this submission. However, Applicants authorize the Commissioner to debit any required fee from Deposit Account No. 501593, in the name of Borden Ladner Gervais LLP. The Commissioner is further authorized to debit any additional amount required, and to credit any overpayment to the above-noted deposit account.

Respectfully submitted,

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